

FILED  
CITY CLERK  
2020 Z-2002  
AUG 10 4

ORDINANCE NO. 2020-33

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,  
INDIANA, TO REZONE CERTAIN REAL ESTATE FROM GB TO I3

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA:**

Section I: The Unified Zoning Ordinance of Tippecanoe County, Indiana being a separate ordinance and part of the Municipal Code of Lafayette, Indiana is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to-wit:

See Attachment Exhibit A

Section II: The above described real estate should be and the same is hereby rezoned  
from GB to I3.

Section III: This Ordinance shall be in full force and effect from and after its adoption.

**PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

ATTEST:

\_\_\_\_\_  
Nancy Nargi, Presiding Officer

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Attest:

\_\_\_\_\_  
Tony Roswarski, Mayor

\_\_\_\_\_  
Cindy Murray, City Clerk

## EXHIBIT A

A part of the Southeast Quarter of Section 22, Township 23 North, Range 4 West, and described as follows: Beginning at a point in the centerline of Union Street 428 feet west of the northeast corner of the west half of said southeast quarter; thence West following the centerline of said Union Street 192 feet; thence South 785 feet to the property line of the Belt Railway Company; thence in a Northeasterly direction following said right of way 830 feet to the place of beginning, containing 2.25 acres, more or less.

EXCEPTING THEREFROM part of the Southeast Quarter of Section 22, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana, described as follows: Beginning at a point on the northern line of the southeast quarter of said Section 22, said point being located 620.00 feet west from the northeastern corner of the west half of the southeast quarter of said Section 22; thence North  $90^{\circ} 00'$  East along the northern line of the southeast quarter of said Section 22, 176.95 feet to the western property line of the Lafayette Union Belt Railway; thence Southerly along the western property line of the Lafayette Union Railway on a curve to the right have a radius of 1,400.00 feet a distance of 284.28 feet; thence North  $78^{\circ} 00'$  West 162.74 feet; thence North  $4^{\circ} 00'$  East, 248.34 feet to the point of beginning, containing 1.06 acres, more or less.

**Staff Report**  
**September 10, 2020**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, who is also the owner, is requesting the rezoning of 1.19 acres from GB to I3 for an auto salvage operation. The tract is located about 200 feet south of 3465 Union Street (which is also owned by petitioner) along the western edge of the Lafayette Union Belt Railway. The property, commonly known as 3445 Union Street, is located in the City of Lafayette, Fairfield 22 (SE) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The subject property and land to the north and west is zoned GB. I3 zoning is located east across the railroad and I1 zoning is adjoining on the southwest. Additional I3 is further north of Union and R1 zoning is further beyond the rail line to the northeast.

The most recent change in zoning in the immediate area occurred in 2008 when land adjacent to the southwest along Sagamore was rezoned from GB to I1 (Z-2376).

**AREA LAND USE PATTERNS:**

The area is typified by a mix of commercial, light industrial and heavy industrial users. An automotive sales business, also owned by petitioner, is adjacent to the north along Union Street. A sheet metal operation is located to the west and a heavy equipment rental business is located to the southwest. Land east across the railroad tracks contains a single-family home which appears to be vacant.

**TRAFFIC AND TRANSPORTATION:**

Union Street is classified as an urban secondary arterial by the adopted *Thoroughfare Plan*. The site is landlocked; access to the site is through petitioner's adjacent property to the north which connects to Union.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

City utilities serve the site. A "type A" bufferyard (20 feet in width) is required where the proposed I3 zoning abuts GB and I1 zoning to the west and southwest, respectively.

**STAFF COMMENTS:**

This area along the Lafayette Union Belt Railway has historically been used industrially. The formation of this spur line more than 100 years ago was done to help facilitate industrial growth in this part of the city. As a result, the area now consists almost exclusively of commercial and industrial zoning.

Petitioner is proposing to add automotive salvage to their existing business which sells and repairs vehicles. This location, with no road frontage and an active rail line bordering the property, is well suited for I3 zoning and staff can support this request.

**STAFF RECOMMENDATION:**

Approval

THE

# Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET  
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242  
(765) 423-9154 [FAX]  
[www.tippecanoe.in.gov/apc](http://www.tippecanoe.in.gov/apc)

SALLIE DELL FAHEY  
EXECUTIVE DIRECTOR

September 17, 2020  
Ref. No.: 2020-234

Lafayette Common Council  
20 N 6<sup>th</sup> Street  
Lafayette, IN 47901

## CERTIFICATION

**RE: Z-2802 JOSÉ E. GAETA (GB to I3):**

Petitioner is requesting rezoning of 1.19 acres for an "auto salvage operation" located south of Union and east of Sagamore Parkway, at 3445 Union Street in Lafayette, Fairfield 22 (SE) 23-4.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on September 16, 2020 the Area Plan Commission of Tippecanoe County voted 17 yes - 0 no on the motion to rezone the subject real estate from GB to I3. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette Common Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette Common Council at their October 5, 2020 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/crl

Enclosures: Staff Report & Ordinances

cc: Jose Garcia  
Maria Alvarez  
Jeromy Grenard, City Engineer